Docket No. JAB1747USPCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:

Applicants: Jose Ignacio Andres-Gil et al.

Serial No. : A

Filed : Examiner:

FOR : FUSED HETEROCYCLIC ISOXAZOLINE DERIVATIVES AND

THEIR USE AS ANTI-DEPRESSANTS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under

national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with | the first or Second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or П Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in

§1.53(d)), within three months of the date of entry into the

Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p). \Box Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: \Box In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. П If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. \boxtimes Copies of only foreign patent documents and nonpatent literature are enclosed in accordance with 37 CFR 1.98 (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i). 冈 There are no listed references which are not in the English language. The relevance of those listed references which are not in the English language is as follows:

10/524123

Attached are copies of search report(s) from Corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JAB1747USPCT/HBW. This form is submitted in triplicate.

Respectfully submitted,

Hal But Woodhou

Hal B. Woodrow Reg. No. 32,501 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2976 DATED: February 10, 2005

DT05 Rec'd PCT/PTO 1 0 FEB 2005

PTO/SB/08A (08-00)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

Andres-Gil et al.
JAB1747USPCT

U.S. PATENT DOCUMENTS U.S. Patent Document Date of Publication Pages, Columns, Lines, Name of Patentee or Applicant Kind Code² Examiner Cite of Cited Document where relevant passages or of Cited Document Initials relevant figures appear Number (if known) mm-dd-yyyy

FOREIGN PATENT DOCUMENTS

Examiner Initials		Foreign	Patent Documer		Pages, Columns, Lines, where relevant			
	Cite No. ¹	1	Office ³	Number⁴ Kir	ndCode ⁵	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear
		EP	0 361 577	B1	AKZO N.V.	5-05-1993		
_		wo	99/67237	A1	H. Lundbeck	12-29-1999		
		EP	0 885 883	A1	Yoshitomi Pharmaceutical Industries, Ltd.	12-23-1998		
		wo	95/07893	A1	Merck Sharp & Dohme Limited	3-23-1995		
		wo	97/25317	A1	Hoechst Marion Roussel, Inc.	7-17-1997	·	
		wo	02/066484	A1	Janssen Pharmaceutica N.V.	8-29-2002		

Examiner	Date
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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			Filing Date	
01.10			First Named Inventor	Andres-Gil et al.
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			Examiner Name	
		Page 1 of 1	Attorney Docket Number	JAB1747USPCT
		U.S. PATE	ENT DOCUMENTS	
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		OTHER PRIOR ART - N					
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		International Search Report for PCT/EP	03/50377 da	ted Decembe	r 22, 2003 (A	tty. Docket JAB1747PCT)	
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